



EDMUND G. BROWN JR.  
GOVERNOR

MATTHEW RODRIGUEZ  
SECRETARY FOR  
ENVIRONMENTAL PROTECTION

**State Water Resources Control Board**  
Division of Drinking Water

September 27, 2017  
Certified Mail/Return  
7012 3460 0003 1112 9394

Marcum Illinois Elementary School  
2452 El Centro Blvd.  
East Nicolaus, CA 95659

Attention: Maggie Irby, Administrator

**Subject: Public Water System No. 5100140 – Citation No. 21-17C-034 for Failure to Collect Five Routine Bacteriological Samples in August 2017.**

It has come to our attention that the Marcum Illinois Elementary School water system failed to collect five routine bacteriological samples in August of 2017, following a total coliform-positive sample in July 2017. Consequently, the Division of Drinking Water has issued the enclosed Citation for Noncompliance (Citation) with Title 22 California Code of Regulations, Section 64424.

Please review the enclosed Citation and note directives for corrective action and public notification.

Any person who is aggrieved by an order or decision issued by the Division, may file a petition with the State Water Board for reconsideration of the order or decision. Petitions must be received by the State Board within 30 days of the issuance of the order or decision. The date of issuance is the date when the Division mails a copy of the order or decision. If the 30th day falls on a Saturday, Sunday, or state holiday, the petition is due the following business day. Petitions must be received by 5:00 p.m. See attached Applicable Authorities for relevant statutory provisions for filing a petition.

For more Information regarding filing petitions, visit the following website:  
[http://www.waterboards.ca.gov/drinking\\_water/programs/petitions/index.shtml](http://www.waterboards.ca.gov/drinking_water/programs/petitions/index.shtml)

If you have any questions please call Paul Rowe at (530) 224-4866 or contact me directly at (530) 224-4861.

A handwritten signature in black ink, appearing to read "R. Crenshaw".

Reese B. Crenshaw, P.E.  
Valley District Engineer  
DRINKING WATER FIELD  
OPERATIONS BRANCH

Enclosures

FELICIA MARCUS, CHAIR | THOMAS HOWARD, EXECUTIVE DIRECTOR

364 Knollcrest Drive, Suite 101, Redding, CA 96002 | [www.waterboards.ca.gov](http://www.waterboards.ca.gov)

1 **Citation No. 21-17C-034**

2  
3 **STATE OF CALIFORNIA**  
4 **WATER RESOURCES CONTROL BOARD**  
5 **DIVISION OF DRINKING WATER**  
6

7 **Public Water System:** Marcum Illinois Elementary School

8 **Water System No.:** 5100140  
9

10 **To:** Marcum Illinois Elementary School  
11 Attn: Maggie Irby, Administrator  
12 2452 El Centro Blvd.  
13 East Nicolaus, CA 95659  
14

15 **Issued:** September 27, 2017  
16 VIA CERTIFIED MAIL  
17

18 **CITATION FOR NONCOMPLIANCE**  
19 **With Title 22, California Code of Regulations**  
20 **Section 64424**  
21

22 Section 116650 of the California Health and Safety Code (CHSC) authorizes the  
23 issuance of a citation for failure to comply with a requirement of the California Safe  
24 Drinking Water Act (CHSC, Division 104, Part 12, Chapter 4, commencing with  
25 Section 116270), or any regulation, standard, permit, or order issued thereunder.  
26

1 The State Water Resources Control Board (hereinafter "Board"), acting by and  
2 through its Division of Drinking Water (hereinafter "Division") and the Deputy Director  
3 for the Division, hereby issues a citation to Marcum Illinois Elementary School for  
4 failure to comply with Section 64424, Title 22, of the California Code of Regulations  
5 (CCR).

#### 6 7 **APPLICABLE AUTHORITIES**

8 See Attachment A for Applicable Authorities  
9

#### 10 **STATEMENT OF FACTS**

11 Marcum Illinois Elementary School (hereinafter "System") is classified as a non-  
12 transient non-community water system and serves water to approximately 160 faculty  
13 and students. Based on this population, the System is required to collect one routine  
14 bacteriological water sample each month. In the event that a routine bacteriological  
15 sample is positive for total coliform, the System is required to collect five routine  
16 samples the month following a positive routine sample. In July 2017, the System  
17 collected a routine sample that indicated the presence of total coliform. As a result,  
18 the System collected 4 repeat samples, as well as a Ground Water Rule sample in  
19 July 2017, but did not collect five (5) routine samples the following month (August  
20 2017).  
21

#### 22 **DETERMINATION**

23 The Division has determined that the System violated Section 64424(d), Title 22, of  
24 the CCR, in that the System did not collect five routine samples the month following a  
25 total coliform positive sample.  
26  
27

1 **DIRECTIVES**

2 The System is directed to take the following actions:

- 3
- 4 1. **Within 30 days** of the issuance of this Citation, provide public notification in
- 5 accordance with **Attachment B**, to all persons served by the System of the
- 6 violations noted above; as required by Section 64463.4(c) and Section 64465,
- 7 Title 22, of the CCR. Notification shall be completed in accordance with each of
- 8 the following:
- 9
- 10 a. Posting in conspicuous locations throughout the water system.
- 11 b. Notification by one or more methods for consumers not reached by mail
- 12 or direct delivery (**see Attachment B**).
- 13
- 14 2. Changes and/or modifications to **Attachment B** shall be not be made unless
- 15 approved by the Division.
- 16
- 17 3. Complete and return **Attachment C**, "Certification of Completion of Public
- 18 Notification" form **within 10 days** of giving public notice. A copy of the notice
- 19 used to provide public notification shall be attached to the form.
- 20

21 The Division reserves the right to make such modifications to this Citation as it may

22 deem necessary to protect public health and safety. Such modifications may be

23 issued as amendments to this Citation, and shall be deemed effective upon issuance.

24

25 Nothing in this Citation relieves the System of its obligation to meet the requirements

26 of the California Safe Drinking Water Act, or of any regulation, permit, standard, or

27 order issued or adopted thereunder.

1 All submittals required by this Citation shall be submitted to the Division at the  
2 following address:

3 Reese B. Crenshaw, P. E.  
4 Valley District Engineer  
5 State Water Resources Control Board  
6 Division of Drinking Water  
7 364 Knollcrest Dr. Suite 101  
8 Redding, CA 96002  
9

10 **PARTIES BOUND**

11 This Citation shall apply to and be binding upon the Water System, its officers,  
12 directors, shareholders, agents, employees, contractors, successors, and assignees.  
13

14 **SEVERABILITY**

15 The Directives of this Citation are severable, and the Water System shall comply with  
16 each and every provision thereof, notwithstanding the effectiveness of any other  
17 provision.  
18

19 **FURTHER ENFORCEMENT ACTION**

20 The California SDWA authorizes the Division to: issue citation with assessment of  
21 administrative penalties to a public water system for violation or continued violation of  
22 the requirements of the California SDWA or any permit, regulation, permit or order  
23 issued or adopted thereunder including, but not limited to, failure to correct a violation  
24 identified in a citation or compliance order. The California SDWA also authorizes the  
25 Division to take action to suspend or revoke a permit that has been issued to a public  
26 water system if the system has violated applicable law or regulations or has failed to  
27 comply with an order of the Division; and to petition the superior court to take various



1 enforcement measures against a public water system that has failed to comply with  
2 violates an order of the Division. The Division does not waive any further enforcement  
3 action by issuance of this citation.

4  
5  
6  
7  
8 9/26/17

9 Date

R. Crenshaw

Reese B. Crenshaw, P.E.,

Valley District Engineer

Division of Drinking Water

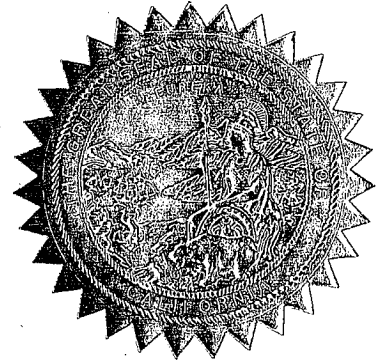
State Water Resources Control Board

13  
14  
15 Attachments:

16 Attachment A - Applicable Authorities

17 Attachment B - Public Notification Form

18 Attachment C - Certification of Completion



## ATTACHMENT A

### APPLICABLE AUTHORITIES

#### **Section 116650 of the CHSC states in relevant part:**

- (a) If the Department determines that a public water system is in violation of this chapter or any regulation, permit, standard, citation, or order issued or adopted thereunder, the department may issue a citation to the public water system. The citation shall be served upon the public water system personally or by certified mail. Service shall be deemed effective as of the date of personal service or the date of receipt of the certified mail. If a person to whom a citation is directed refuses to accept delivery of the certified mail, the date of service shall be deemed to be the date of mailing.*
- (b) Each citation shall be in writing and shall describe the nature of the violation or violations, including a reference to the statutory provision, standard, order, citation, permit, or regulation alleged to have been violated.*
- (c) A citation may specify a date for elimination or correction of the condition constituting the violation.*
- (d) A citation may include the assessment of a penalty as specified in subdivision (e).*
- (e) The department may assess a penalty in an amount not to exceed one thousand dollars (\$1,000) per day for each day that a violation occurred, and for each day that a violation continues to occur. A separate penalty may be assessed for each violation.*

**Section 116701 of the CHSC states in relevant part:**

**Petitions to Orders and Decisions**

- (a) Within 30 days of issuance of an order or decision issued by the deputy director under Article 8 (commencing with Section 116625) or Article 9 (commencing with Section 116650), an aggrieved person may petition the state board for reconsideration. Where the order or decision of the deputy director is issued after a hearing under Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code, this section shall apply instead of Section 11521 of the Government Code.*
- (b) The petition shall include the name and address of the petitioner, a copy of the order or decision for which the petitioner seeks reconsideration, identification of the reason the petitioner alleges the issuance of the order was inappropriate or improper, the specific action the petitioner requests, and other information as the state board may prescribe. The petition shall be accompanied by a statement of points and authorities of the legal issues raised by the petition.*
- (c) The evidence before the state board shall consist of the record before the deputy director and any other relevant evidence that, in the judgment of the state board, should be considered to implement the policies of this chapter. The state board may, in its discretion, hold a hearing for receipt of additional evidence.*
- (d) The state board may refuse to reconsider the order or decision if the petition fails to raise substantial issues that are appropriate for review, may deny the petition upon a determination that the issuance of the order or decision was appropriate and proper, may set aside or modify the order or decision, or take other appropriate action. The state board's action pursuant to this subdivision shall constitute the state board's completion of its reconsideration.*



ATTACHMENT A

- (e) The state board, upon notice and hearing, if a hearing is held, may stay in whole or in part the effect of the order or decision of the deputy director.*
- (f) If an order of the deputy director is subject to reconsideration under this section, the filing of a petition for reconsideration is an administrative remedy that must be exhausted before filing a petition for writ of mandate under Section 116625 or 116700.*

**Section 64424(d), Title 22, of the CCR states in relevant part:**

- (d) If a public water system for which fewer than five samples per month are collected has one or more total coliform-positive samples, the water supplier shall collect at least five routine samples the following month.*

**IMPORTANT INFORMATION ABOUT YOUR DRINKING WATER**

Este informe contiene información muy importante sobre su agua potable.  
Tradúzcalo o hable con alguien que lo entienda bien.

**MARCUM ILLINOIS ELEMENTARY SCHOOL DID NOT  
COLLECT FIVE ROUTINE BACTERIOLOGICAL  
SAMPLES IN AUGUST 2017**

Our water system recently violated a monitoring requirement. Although this is not an emergency, as our customers, you have a right to know what you should do, what happened, and what we did to correct this situation.

**What should you do?**

You do not need to boil the water or take any corrective actions. This is not an emergency. If you have health concerns, you may wish to consult your doctor. General guidelines on ways to lessen the risk of infection by microbes are available from EPA's Safe Drinking Water Hotline at (800) 426-4791.

**What happened? What was done?**

We are required to monitor your drinking water for specific contaminants on a regular basis. Results of regular monitoring are an indicator of whether or not your drinking water meets health standards. We are required to collect five routine water samples the month following a total coliform-positive sample. During the month of July 2017, we collected a routine sample that was positive for total coliform. As a result, we collected the required follow up samples in the same month, but did not collect five routine samples the following month in August 2017. Therefore, we could not be sure of the quality of your drinking water during that time.

We have addressed this by resuming routine sample collection in September 2017.

For more information, please contact Maggie Irby @ 530-656-2407 (ext. 14)

*Please share this information with all the other people who drink this water, especially those who may not have received this notice directly. You can do this by posting this public notice in a public place or distributing copies by hand or mail.*

State Water System ID#: 5100140.

Date distributed: \_\_\_\_\_.

## CERTIFICATION OF COMPLETION OF PUBLIC NOTIFICATION

This form when completed and returned to the Division of Drinking Water (364 Knollcrest Drive, Suite 101, Redding, CA 96002 or fax to 530-224-4844), serves as certification that public notification to water users was completed as required by the State Water Resources Control Board. Completing public notification and providing the Division with certification is important. Failure to do so will result in additional hourly time charges to your water utility and may result in a formal enforcement action with monetary penalties.

**Public Water System Name** Marcum Illinois Elementary School

**Public Water System No.** 5100140

Public notification for the August 2017 bacteriological monitoring failure was performed by the following method(s):

### Check and Complete

- Posting in conspicuous locations throughout the area served by the water system:  
List locations: \_\_\_\_\_

### AND

- Use of one or more of the following methods to reach persons not likely to be reached by posting in conspicuous places during the summer (Check all that apply):

\_\_\_\_\_ Publication in a local newspaper or newsletter;

\_\_\_\_\_ Posting on the school's Internet site

\_\_\_\_\_ Email message to faculty and students;

I hereby certify that the above information is factual.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date